MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
DECEMBER 9, 2024
AT 4:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

Mayor Campbell Rich
Commissioner Eula R. Clarke
Commissioner Christopher Collins
Commissioner Laura Giobbi
Commissioner Sean Reed

ADMINISTRATIVE

City Manager, Michael J. Mortell
City Attorney, Lee J. Baggett
City Clerk, Mary R. Kindel

ROLL CALL

4:00 PM

PRESENT: Mayor Rich, Commissioner Clarke, Commissioner Collins, Commissioner Giobbi, and Commissioner Reed

INVOCATION

Chaplain Edward Skiba, Stuart Police Department, gave the Invocation.

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - LEILA PIERRE, 'STARS OVER STUART' STUDENT - SONG PERFORMANCE

Cancelled.

2. SELECTION OF MAYOR AND VICE MAYOR

4:05 PM MOTION: Approve Commissioner Collins as the next Mayor of City of Stuart for the year 2025.
MOVED BY: Laura Giobbi
SECONDED BY: Christopher Collins
VOTE: 2/3 Motion Did Not Pass.
YES: Laura Giobbi and Christopher Collins
NO: Campbell Rich, Eula Clarke, Sean Reed

4:08 PM MOTION: Approve Commissioner Rich to serve as Mayor for the next year.
MOVED BY: Eula Clarke
SECONDED BY: Sean Reed
Vote: 4/1 Motion Passed.
YES: Campbell Rich, Eula Clarke, Laura Giobbi, Sean Reed
NO: Christopher Collins

4:14 PM MOTION: Approve Commissioner Collins as Vice Mayor.
MOVED BY: Laura Giobbi
SECONDED BY: Christopher Collins
Motion approved unanimously.

2024 - 2025 Mayor Campbell Rich
2024 - 2025 Vice Mayor Christopher Collins

PROCLAMATIONS

None.

PRESENTATIONS

3. SERVICE AWARDS - DECEMBER 2024

Johnathan Hatch	Fire Department	10 years	Present
Vito Lorenzo	Police Department	10 years	Present
Rasheed Hall	Commercial Collection Dept.	5 years	Present
Jose Goycocohea	Commercial Collection Dept.	5 years	Present
John Coleman	Building Maintenance Dept.	5 years	Present

COMMENTS BY CITY COMMISSIONERS

Commissioner Reed

- Requested a status update on the Stancavich case.
- Commented on an update on Hamilton's Church and being at a future Commission Meeting.

Jodi Krugler, Development Director, came forward and provided a brief update on the Stancavich case.

Commissioner Giobbi

- Thanked the participants at the meetings and for volunteering their time and wished all a Happy Holiday.

Vice Mayor Collins

- Publicly thanked Police Chief Tuminelli and the Police Department for quick response to an incident in his neighborhood; very important for elected officials and their families to be safe. Also noted it is important for the public to voice their opinions; but it is not

appropriate to drive by a home and take pictures.

Commissioner Clarke

- Commented that Art's Moment was cancelled due to the performer being sick, but in recognition of the holiday, she handed out gifts to all Commissioners, City Manager, City Attorney and City Clerk. Gave recognition to the Artist, Judy Fisher whom celebrates Christmas and Kwanza.
- Congratulated the Mayor and the new Vice Mayor, and hopes to continue to lead in a positive manner.

Mayor Rich

- Echoed colligacy and showing curtesy on the dais.
- Commented on the Tiki Taxi Appreciation Event.
- Commented on the birth center at the Cleveland Clinic being transferred to Tradition Hospital.
- Commented that he and Commissioner Giobbi attended the Opening of Rentak, a Mercedes customization facility, and it was mentioned that there was a lack of affordable housing for their employees.

COMMENTS BY CITY MANAGER

City Manager Mortell

- Reported that this is the only meeting in December. The next City Commission Meeting is January 13, 2025.
- Commented that he was contacted by people who were withdrawn from boards, but this will be addressed on that item.

APPROVAL OF AGENDA

4:38 PM MOTION: Approve.
MOVED BY: Eula Clarke
SECONDED BY: Christopher Collins
Motion approved unanimously.

COMMENTS FROM THE PUBLIC (Non-Agenda Related) (3 Minutes Max.)

1. Robert Hamilton - Stuart; Commented on his property and noted lack of responses to emails, and felt he was being laughed at and interrupted.
2. Olga Hamilton - Stuart; Thanked local contractors for their response to a federal contractor issue.
3. Albert Brinkley - Stuart; Commented on a gutter company in East Stuart without the knowledge of the community; felt this only happens in East Stuart.
4. Caryn Hall Yost-Rudge - Stuart; Provided an update to the 11th Circuit Court of Appeals today, appointed an attorney. Submitted handout.
5. Mark Brechbill - Stuart; Commented on threats; and the hospital comment earlier and offered a suggestion to check with the competition.

6. Lily Price - Stuart; Commented on concerns about an incident between her husband and Commissioner Collins and a misuse of power.
7. Marcela Camblor - Stuart; Commented on the character of Mr. Pryce.
8. Raj Patel - Commented on the incident with Douette Pryce, addressed Commissioner Collins on his accusing him of passing by his house.

CONSENT CALENDAR

4. APPROVAL OF 11/12/2024 CCM, 11/7/2024 SCM ZIP WORKSHOP #2, 11/19/2024 SCM ZIP WORKSHOP #3, and 11/25/2024 CCM MINUTES (RC)

5. APPROVAL OF THE 2025 MEETING CALENDAR (RC):

RESOLUTION No. 129-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING THE CITY OF STUART PUBLIC MEETING CALENDAR FOR 2025; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

5:04 PM MOTION: Approve.
MOVED BY: Eula Clarke
SECONDED BY: Laura Giobbi
Motion approved unanimously.

COMMISSION ACTION

6. APPOINTMENT OF ALTERNATE CODE ENFORCEMENT MAGISTRATES (RC):

RESOLUTION No. 124-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPOINTING GEMMA TORCIVIA AND BRETT T. LASHLEY AS CODE ENFORCEMENT MAGISTRATES; AND CONFIRMING THE TERMS OF APPOINTMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Lee Baggett, City Attorney, reported on the Resolution, providing two (2) replacement Magistrates for the City.

PUBLIC COMMENT:

1. Caryn Hall Yost-Rudge - Stuart; Commented on Paul Nicoletti being a Magistrate.

5:07 PM MOTION: Approve.
MOVED BY: Eula Clarke
SECONDED BY: Christopher Collins
Motion approved unanimously.

7. ADVISORY BOARD MEMBER APPOINTMENTS / RATIFICATION OF TERMS (RC):

RESOLUTION No. 126-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPOINTING AND RATIFYING THE MEMBERSHIP OF THE ADVISORY BOARD MEMBERS AND ADOPTING THE MEMBER TERMS FOR THE 2025 CALENDAR YEAR; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

5:17 PM MOTION: Approve to ratify the boards other than Mr. Hernandez, Mr. Campenni, and Mr. Pryce.
MOVED BY: Christopher Collins
SECONDED BY: Eula Clarke
Motion approved unanimously.

8. ENVIRONMENTAL ATTORNEY JOB DESCRIPTION AND INITIATION OF HIRING PROCESS (RC):

RESOLUTION No. 127-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING JOB DESCRIPTION FOR ENVIRONMENTAL ATTORNEY AND TO INITIATE THE PROCESS OF HIRING AN ENVIRONMENTAL LAWYER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (RC):

Lee Baggett, City Attorney, confirmed that nothing has changed from the last report to the Commission.

Roz Johnson Strong, Human Resources Director, reported on the hiring process moving forward. The process takes approximately two (2) months.

Vice Mayor Collins suggested Mac Stuckey receive a link from the HR Director in order for him to perform head-hunting services.

Commissioner Clarke commented on the essential environmental function and requested clarification of their duties as the specifics of the description are too general; suggested a report be provided to the Commission annually.

Vice Mayor Collins disagreed and felt it is better to remain broad in the duties identified.

5:23 PM MOTION: Approve.
MOVED BY: Christopher Collins
SECONDED BY: Laura Giobbi
Motion approved unanimously. 5:31 PM

9. APPOINTMENTS OF CITY COMMISSIONERS TO COMMUNITY BOARDS (RC):

RESOLUTION No. 130-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING THE ANNUAL APPOINTMENTS OF CITY OF STUART COMMISSIONERS AS CITY REPRESENTATIVES TO SPECIFIED LOCAL COMMUNITY BOARDS FOR THE 2025 CALENDAR YEAR; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Michael Mortell, City Manager, briefly reviewed the Commissioner Community Boards' listing and suggested the Commissioners consider switching boards from ones they have served on for many terms, keeping them well rounded and informed in the community.

The Commissioners had a brief discussion and decided who would serve on which board.

5:40 PM MOTION: Approve.
MOVED BY: Christopher Collins
SECONDED BY: Eula Clarke
Motion approved unanimously.

10. IMPLEMENTATION OF ZONING IN PROGRESS RECOMMENDATIONS (RC):

RESOLUTION No. 128-2024, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO DIRECT STAFF ON THE IMPLEMENTATION OF THE ZONING IN PROGRESS AMENDING CERTAIN CHAPTERS OF THE LAND DEVELOPMENT CODE OF THE CITY OF STUART, FLORIDA AS OUTLINED IN EXHIBIT “A” ATTACHED; PROVIDING AN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Michael Mortell, City Manager, reviewed Exhibit A and provided proposed changes.

5:55 PM MOTION: Approve to amend the Resolution to say on December 9, the City Commission told staff to do the following and removal of the Whereas clause, "professionally accepted material item".
MOVED BY: Christopher Collins
SECONDED BY: Laura Giobbi
Motion approved unanimously. 9:10 PM

PUBLIC COMMENT:

1. John Gonzalez - Stuart; On behalf of the Realtors of the Treasure Coast, commented in opposition to moving forward with the ZIP recommendations, request to vote no on changes.
2. Christine Bearse - Palm City; President of Martin County Realtors of Treasure Coast, opposed to ZIP and changes.
3. Ronnie Kirchman - Stuart; Commercial Contractor but does not build multi-family, asked to pull commercial from the ZIP.
4. Ryan Hanser - Stuart; Local Contractor, residential sector, he stated that he thinks he should be allowed to continue.

5. Ben Talbert - Jensen Beach; Commented that ZIP is affecting his business.

Vice Mayor Collins commented that he has no issue with pulling out the commercial component that does not include multi-family.

6. Deb Fraisier - Port St. Lucie; Treasure Coast Builders Assoc., requested that commercial be removed entirely.
7. Walter Loyd - Stuart; establishment of culture being ignored in keeping Stuart a small coastal town.
8. Jerry Gore Sr. - Stuart; Concerned about the effect on the economy in his community.
9. Joseph Cooper - Stuart; Commented on the economic impact.
10. Jeff Bowers - Stuart; Masterpiece Design Build owner, property owner on Colorado Avenue, asked the Commissioners to slow down.
11. Marcela Camblor - Commented on a rejection letter stating the Exhibit is unclear; asked direct staff; remove any hindrance on single family homes.
12. Albert Brinkley - Stuart; Commented on gentrification in East Stuart.
13. Frank McChrystal - Stuart; Commented on misinformation. Kudos to the Commissioners.
14. Donald Duffy - Stuart; Commented on the construction in his neighborhood, wants growth but at what cost.

***** 6:32PM RECESS *****
***** 6:46 PM RECONVENED *****

City Manager Mortell continued to review the changes listed in Resolution.

Commissioners discussed each change with questions and clarification from the City Manager.

Chapter 2.03.06
7:10 PM MOTION: Approve multifamily density with 800 square feet basis for reduction of density.
MOVED BY: Christopher Collins
SECONDED BY: Laura Giobbi
Vote: 3/2 Motion Passed.
Yes: Christopher Collins, Sean Reed, Laura Giobbi
No: Campbell Rich, Eula Clarke

Chapter 2.03.09
7:12 PM MOTION: Approve no parking waiver for anything full parking calculations on both commercial and residential.
MOVED BY: Christopher Collins
SECONDED BY: Laura Giobbi
Vote: 3/2 Motion Passed.
Yes: Christopher Collins, Sean Reed, Laura Giobbi
No: Campbell Rich, Eula Clarke

Chapter 2.04.02
7:36 PM MOTION: Approve to restore back to 6,000 square feet.
MOVED BY: Christopher Collins
SECONDED BY: Laura Giobbi
Vote: 3/2 Motion Passed.
Yes: Christopher Collins, Sean Reed, Laura Giobbi
No: Campbell Rich, Eula Clarke

Chapter 2.04.02A
7:40 PM MOTION: Approve minimum lot width must be 50 feet as defined by code.
MOVED BY: Eula Clarke
SECONDED BY: Christopher Collins
Motion approved unanimously.

Chapter 6.09.00
7:58 PM MOTION: Approve to update the form base code to include "City Wide".
MOVED BY: Christopher Collins
SECONDED BY: Laura Giobbi
Vote: 3/2 Motion Passed.
Yes: Christopher Collins, Sean Reed, Laura Giobbi
No: Campbell Rich, Eula Clarke

Chapter 6.09.02
8:00 PM MOTION: Approve to update the form base code to include "City Wide".
MOVED BY: Christopher Collins
SECONDED BY: Eula Clarke
Motion approved unanimously.

Chapter 2.06.15
City Manager is bringing back information.

Chapter 2.02.02
8:14 PM MOTION: Approve to limit self storage to warehouse.
MOVED BY: Christopher Collins
SECONDED BY: Laura Giobbi
Motion approved unanimously.

No Chapter
8:16 PM MOTION: Approve to remove entirely "1/2 units shall be removed from code".
MOVED BY: Christopher Collins
SECONDED BY: Laura Giobbi
Vote: 3/2 Motion Passed.
Yes: Christopher Collins, Sean Reed, Laura Giobbi
No: Campbell Rich, Eula Clarke

No Chapter

8:34 PM MOTION: Approve to add Business Mixed Use (BMU) and General Residential and Office (GRO) for other than single-family residential will also require commission action.
MOVED BY: Christopher Collins
SECONDED BY: Sean Reed
Vote: 4/1 Motion Passed.
Yes: Christopher Collins, Sean Reed, Laura Giobbi, Eula Clarke
No: Campbell Rich

***** 8:34 PM RECESS *****
***** 8:44 PM RECONVENED *****

No Chapter (Density Bonus)

8:55 PM MOTION: Approve to reduce the density bonus from thirty (30) to five (5) over the amount that was allowed by right and all properties that are currently built will be deemed conforming as long as they were built before September 4, 2024.
MOVED BY: Christopher Collins
SECONDED BY: Laura Giobbi
Vote: 3/2 Motion Passed.
Yes: Christopher Collins, Sean Reed, Laura Giobbi
No: Campbell Rich, Eula Clarke

Chapter 6.01.03

8:58 PM MOTION: Approve to allow parking for conforming to increase .5.
MOVED BY: Christopher Collins
SECONDED BY: Laura Giobbi
Vote: 3/2 Motion Passed.
Yes: Christopher Collins, Sean Reed, Laura Giobbi
No: Campbell Rich, Eula Clarke

Chapter 6.04.02

9:01 PM MOTION: Approve to increase shade tree calculation for multifamily by 60%.
MOVED BY: Christopher Collins
SECONDED BY: Laura Giobbi
Motion approved unanimously.

9:13 PM MOTION: Approve to do a Resolution to be re-adopted at the next meeting with language that as long as the application does not include any multifamily or anything that is essentially affected by ZIP options, then it can move forward.
MOVED BY: Sean Reed
SECONDED BY: Laura Giobbi
Motion approved unanimously.

City Manager Mortell confirmed the Local Planning Agency (LPA), Community Redevelopment Board (CRB) and City Commission Meeting dates will be posted at East Stuart Community Center.

ORDINANCE SECOND READING

None.

ORDINANCE FIRST READING

None.

DISCUSSION AND DELIBERATION

11. EAST STUART HISTORICAL ADVISORY COMMITTEE BY-LAWS REVIEW

Mike Mortell, City Manager, briefly provided the history of the East Stuart Historical Advisory Committee, its purpose, and need. Meetings would better serve as needed as opposed to automatically being scheduled quarterly. The Board agreed that the City Manager bring back the ESHAC By-Laws with language that meetings would be held on an as-needed basis.

ADJOURNMENT

9:26 PM

Mary R. Kindel, City Clerk **Campbell Rich, Mayor**

Minutes to be approved at the Regular Commission Meeting this 13th day of January, 2024.